

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

HENRY C. ROSENAU,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. C13-1997 MJP

ORDER FOR SERVICE AND  
ANSWER, § 2255 MOTION

THIS MATTER comes before the Court upon Petitioner's motion under 28 U.S.C. § 2255 to vacate, set aside, or correct his sentence (Dkt. No. 1), and a supplemental brief on the same subject (Dkt. No. 5). After a preliminary review of the motions, the court does hereby ORDER that:

(1) The Clerk of Court shall arrange for service by first class mail upon the United States Attorney of a copy of the Motion and the attachments thereto, and of this Order. The Clerk shall also direct a copy of this Order and of the General Order to Petitioner.

(2) Within thirty (30) days after such service, the United States shall file and serve an Answer in accordance with Rule 5 of the Rules Governing Section 2255 Cases in United States

1 District Courts. As part of such Answer, the United States should state its position as to whether  
2 an evidentiary hearing is necessary, whether there is any issue as to abuse or delay under Rule 9,  
3 and whether petitioner's motion is barred by the statute of limitations.

4 (3) On the face of the Answer, the United States shall note the Answer for  
5 consideration on the fourth Friday after it is filed, and the Clerk shall note the Answer  
6 accordingly. Petitioner may file and serve a response not later than on the Monday immediately  
7 preceding the Friday designated for consideration of the matter. The United States may file and  
8 serve a reply brief not later than on the Thursday immediately preceding the Friday designated for  
9 consideration of the matter.

10 (4) Filing and Service by Parties Generally

11 All attorneys admitted to practice before this Court are required to file documents  
12 electronically via the Court's CM/ECF system. All counsel are also directed to the Court's  
13 website, [www.wawd.uscourts.gov](http://www.wawd.uscourts.gov), for a detailed description of the requirements for filing via  
14 CM/ECF. All non-attorneys, such as pro se parties and/or prisoners, may continue to file a paper  
15 original of any document for the Court's consideration. A party filing a paper original does not  
16 need to file a chambers copy. All filings, whether filed electronically or in traditional paper  
17 format, must indicate in the upper right hand corner the name of the judge to whom the document  
18 is directed.

19 For any party filing electronically, when the total of all pages of a filing exceeds fifty (50)  
20 pages in length, a paper copy of the document (with tabs or other organizing aids as necessary)  
21 shall be delivered to the Clerk's Office for chambers. The chambers copy must be clearly marked  
22 with the words "Courtesy Copy of Electronic Filing for Chambers."  
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Dated this 21st day of January, 2014.

Chief United States District Judge